

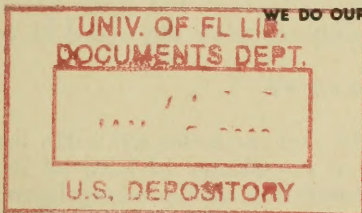
NATIONAL RECOVERY ADMINISTRATION

PROPOSED CODE OF FAIR COMPETITION

FOR THE

HOUSEHOLD REFRIGERATOR
CABINET INDUSTRY

AS SUBMITTED ON AUGUST 31, 1933



The Code for the Household Refrigerator Cabinet Industry in its present form merely reflects the proposal of the above-mentioned industry, and *none of the provisions contained therein are to be regarded as having received the approval of the National Recovery Administration as applying to this industry*

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1933



NATIONAL REFRIGERATOR MANUFACTURERS' ASSOCIATION

SUBMITTED BY

NATIONAL REFRIGERATOR MANUFACTURERS' ASSOCIATION

(II)

PROPOSED CODE OF FAIR COMPETITION FOR THE HOUSEHOLD REFRIGERATOR CABINET INDUSTRY

To effectuate the policy of Title I of the National Industrial Recovery Act during the period of the emergency, the following provisions are established as a code of fair competition for the household refrigerator cabinet industry.

The term "household refrigerator cabinet industry", shall be understood to include those who manufacture refrigerator cabinets for household, as contrasted with commercial use, regardless of whether the cooling agent be ice or mechanical refrigeration.

ARTICLE I

Due to the highly seasonable nature of this industry, the principal manufacturing activities take place during six months in each calendar year.

On and after the effective date of this Code employers in the household refrigerator cabinet industry shall operate on a schedule of hours of labor for their factory employees as follows:

A. During any six months in any calendar year the maximum of 40 hours per week, and during the other six months in any calendar year a maximum of 32 hours per week.

B. On and after the effective date of this Code office employees in the industry shall not operate on a schedule of hours of labor in excess of 44 hours per week throughout the entire calendar year.

ARTICLE II

On and after the effective date of this Code, the minimum wage that shall be paid by employers in the household cabinet industry to their employees shall be as follows:

A. Factory employees and maintenance men, 35 cents per hour.

ARTICLE III

On and after the effective date of this code, employers in the household refrigerator cabinet industry shall not employ any minor under the age of 16 years.

ARTICLE IV

The supervising and fact-finding agency for this industry shall be the National Refrigerator Manufacturers Association, of Chicago, Illinois. The manufacturers shall furnish to this agency duly certified reports every four weeks showing number of employees, maximum hours worked by any employee in any week, and actual hours worked by the various occupational groups of employees, and

minimum hourly wages. It shall be the duty of this agency to compile these figures when, as, and if the President of the United States requires such compilation. It shall also be the duty of this agency to investigate and develop facts regarding complaints from any source and present the resulting data to the Administrator when circumstances warrant and when so instructed by the Association.

ARTICLE V

Each manufacturer in the household refrigerator cabinet industry shall determine his own selling prices but shall charge identical prices to all buyers of equal quantities of his product.

A. There shall be a list price for all less-than-carload shipments except as specified immediately hereafter.

B. A discount not to exceed 5% from list price on full carload shipment with privilege of current carload prices to apply on all subsequent shipments in any quantity during the remainder of the selling season to buyers of the same individual enterprise who have purchased and received an initial full carload.

C. A discount of 5% and an additional discount of 10% from list to bona fide jobbers provided such jobbers purchase an initial full carload for resale to dealers and, provided further, that the Executive Committee approve such jobber as being entitled to be so classified.

D. A discount of 5% and an additional discount of 10% from list to all purchasers who will place a contract with definite specifications not subject to cancellation for not less than 1,000 refrigerators to be shipped during the current selling season.

E. Obsolete and surplus stocks sometimes designated as "close-outs" or inventories which must be converted into cash may be sold at such prices and at such times as are necessary to move the merchandise into the buyers' hands, provided all such stocks must first be reported to the Executive Committee and be disposed of subject to the approval of the said Executive Committee.

ARTICLE VI

To further effectuate the policies of this Act, the household refrigerator cabinet industry agrees that it is an unfair trade practice to:

(1) Sell their product below cost. The cost of each item shall be accurately determined by each manufacturer, and such cost shall include all material, all labor, and all factory expenses, sales, and executive overhead.

(2) Sell their product on a basis other than F.O.B. their factory, except as specified in section 3 of this Article.

(3) Sell from branch warehouse stocks at prices less than those incorporated in Article V of this Code plus full transportation costs from factory to such warehouse.

(4) Sell their product on terms in violation of the following:

On goods shipped between October 1st and March 1st, terms shall be 60 days net or 2% cash in 10 days with a dating of March 1st: After March 1st, terms shall be 60 days net or 2% discount for cash in 10 days from date of shipment.

(5) Allow rebates, advertising allowances, or special discounts or reductions from the prices established in Article V.

(6) Guarantee prices against future advance or decline.

(7) Consign goods under any condition.

(8) Employ false or misleading advertising, misbranding, false invoicing, or other deceptions.

(9) Endeavor to injure a competitor by inducing breach of contract, espionage, enticement of employees, imitation of trade names, or by other unfair or dishonorable practice.

(10) Employ commercial bribery such as inducing sales by gifts or premiums, by payments of commissions or rewards to employees of dealers or distributors, by gratuities to salesmen or by lavish entertainment.

ARTICLE VII

Employers in the household refrigerator cabinet industry shall comply with the requirements of the National Industrial Recovery Act as follows:

“(1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

“(2) That no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing.

“(3) That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President of the United States.”

ARTICLE VIII

This code and all the provisions thereof are expressly made subject to the right of the President of the United States, in accordance with the provisions of Clause 10 (b) of the National Industrial Recovery Act from time to time to cancel or modify any order, approval, license, rule, or regulation issued under Title I of said Act, and specifically to the right of the President of the United States to cancel or modify his approval of this Code or any conditions imposed by him upon his approval thereof.

ARTICLE IX

Such of the provisions of this Code as are not required to be included therein by the National Industrial Recovery Act may, with the approval of the President of the United States, be modified or eliminated as changes in circumstances or experience may indicate. It is contemplated that from time to time supplementary provisions to this Code or additional Codes will be submitted for the approval of the President of the United States to further effectuate the purposes and policies of Title I of the National Industrial Recovery Act consistent with the provisions hereof.

ARTICLE X

No provision in this Code shall be interpreted or applied in such a manner as to (a) promote monopolies, (b) permit or encourage unfair competition, (c) eliminate or oppress small enterprise, and (d) discriminate against small enterprise.

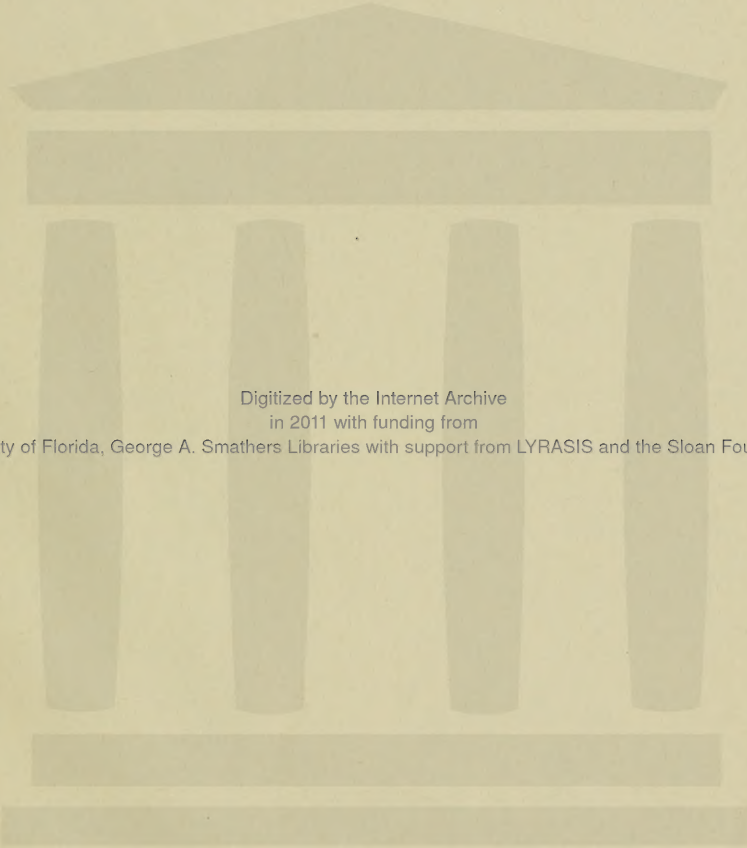
ARTICLE XI

This Code shall be in full effect on the tenth day after its approval by the President of the United States or by his agent.

We, the undersigned, members of the National Refrigerator Manufacturers Association, who we believe represent over eighty percent of the total production of the industry, have adopted the foregoing Code of Fair Practice and by signing same hereby signify that we are willing to be governed in our industry by the terms and provisions thereof.

Gurney Refrigerator Co., by E. G. Vail, president; Rhineland Refrigerator Co., by M. O. McClellan, treasurer; Harder Refrigerator Corp., by F. H. Ryder, vice president; Eau Claire Cold Storage Co., by Ed. Roll, manager; Ranney Refrigerator Co., by E. W. Ranney, president; Tennessee Furniture Corporation, by Robert T. Frazier, vice president; The Maine Manufacturing Company, by Philip Ellis Stevens; Sanitary Refrigerator Co., by B. K. Miller, secretary; Rich Illinois Mfg. Co., A. W. Collins, secretary and treasurer; Success Mfg. Co., Thos. P. Bolger, president; Progress Refrigerator Co., W. H. Cloud, president; Duluth Refrigerator Corp., W. F. Arndt, president; Ward Refrigerator & Mfg. Co., Dwight R. Ward; Standard Refrigerator Co., by W. Manthe, president.

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